

House File 589

S-3341

1 Amend House File 589, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 717A.1, Code 2011, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 2A. "Agricultural production
8 facility" means an animal facility as defined in
9 subsection 4, paragraph "a", or a crop operation
10 property.
11 Sec. 2. NEW SECTION. 717A.2A Agricultural
12 production facility fraud and agricultural production
13 facility offense.
14 1. A person is guilty of agricultural production
15 facility fraud if the person willfully does any of the
16 following:
17 a. Obtains access to an agricultural production
18 facility by false pretenses.
19 b. Makes a false statement or representation as
20 part of an application or agreement to be employed
21 at an agricultural production facility, if the
22 person knows the statement to be false, and makes
23 the statement with an intent to commit an act not
24 authorized by the owner of the agricultural production
25 facility, knowing that the act is not authorized.
26 2. A person is guilty of an agricultural production
27 facility offense if the person is an employee of
28 an agricultural production facility and personally
29 observes livestock abuse as defined in section 717.1A,
30 livestock neglect as defined in section 717.2, or
31 crop operation property damage as defined in 717A.3,
32 subsection 1, and willfully fails to comply with a
33 written policy of the agricultural production facility
34 requiring the reporting of such abuse, neglect, or
35 property damage.
36 3. a. A person who commits an offense described in
37 subsection 1 or 2 commits the following:
38 (1) For the first conviction, a serious
39 misdemeanor.
40 (2) For a second or subsequent conviction, an
41 aggravated misdemeanor.
42 b. A person who conspires to commit agricultural
43 production facility fraud under subsection 1 is subject
44 to the provisions of chapter 706.
45 c. A person who aids and abets in the commission of
46 agricultural production facility fraud under subsection
47 1, or a person who has knowledge that agricultural
48 production facility fraud under subsection 1 has been
49 committed and that a certain person committed the
50 agricultural production facility fraud, and who does

1 not stand in relation of husband or wife to the person
2 committing the agricultural production facility fraud,
3 and who harbors, aids, or conceals a person committing
4 the agricultural production facility fraud, is subject
5 to the provisions of chapter 703. A trial information
6 or an indictment need not contain allegations of
7 vicarious liability as provided in chapter 703.>
8 2. Title page, line 2, by striking <and remedies>

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